

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

# Granted.

8:30 AM, Feb 14, 2024

**TIMOTHY J. BRUNKE,**  
**Plaintiff,**

**V.**

**MARTIN O'MALLEY,  
Commissioner of Social Security,  
Defendant.**

**Civil No. 1:23-cv-00214-KLL**

**Magistrate Judge Karen L. Litkovitz**

*Karen L. Litkovitz*  
Karen L. Litkovitz  
United States Magistrate Judge

**MOTION FOR LEAVE OF COURT TO  
ATTEND HEARING BY TELEPHONE**

The Commissioner of Social Security (Commissioner) respectfully requests that the Court grant the undersigned counsel leave to attend the March 11, 2024 hearing by telephone. In support of this motion, the undersigned states as follows:

1. The undersigned is a Special Assistant United States Attorney for the Southern District of Ohio.
2. The undersigned practices remotely from Arlington, Texas, as a General Attorney with Social Security's Office of the General Counsel.
3. Requiring the undersigned to travel from Arlington to Cincinnati for this single hearing will create an undue financial hardship. To conserve the government's already limited resources, the undersigned therefore seeks to appear and represent the Commissioner at the hearing by telephone.
4. The request to appear telephonically will not cause any undue hardship to the parties and would serve the interest of justice. Indeed, if leave is not granted, due to the time and expense of travel, local counsel from the United States Attorney's Office will need to appear at the hearing on the Commissioner's behalf and will need to devote significant

time and effort to become familiar with the issues that might be addressed at the hearing when the undersigned is already familiar with them.

5. The undersigned has contacted Plaintiff's counsel, who has no objection to the undersigned's appearance at the March 11, 2024 hearing by telephone.

WHEREFORE, the Commissioner respectfully requests this Court to enter an order granting this motion to allow the undersigned to appear telephonically at the March 11, 2024 hearing.

Respectfully submitted,

KENNETH L. PARKER  
UNITED STATES ATTORNEY  
SOUTHERN DISTRICT OF OHIO

**/s/ Fatima Shah**

Fatima Shah (999999)  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

Dated: February 13, 2024.

**/s/ Fatima Shah**

Fatima Shah (999999)  
Special Assistant United States Attorney  
Social Security Administration